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January 5, 2005

**FAX**

RECIPIENT/ PHONE NO.	FAX NO.	COMPANY/ CITY, STATE, COUNTRY
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Brenda O. Holmes 10  
 FROM PAGES (WITH COVER)  
 6559 44471/293132  
 REFERENCE NO CLIENT/MATTER NO.

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**COMMENTS**

Applicant:	Hibiki OGURA
Title:	Rotation Speed Control Apparatus of Open Close Body for Vehicle and Rotation Speed Control Method of the Same
Serial No./Docket No.:	10/684,080
Filed:	44471/293132
Filed:	10/09/2003

**PAPERS SUBMITTED:**

1. PTO/SB/21 – Transmittal form;
2. PTO/SB/22 – Petition for Extension of Time under 37 CFR 1.136(a) FY 2005;
3. PTO/SB/06 – Patent Application Fee Determination Record; and
4. First Response in application to non-final Office Action of 11/01/2004.

Date: January 5, 2005  
 By: Brenda O. Holmes, Reg. No. 40,339

**TO BE COMPLETED BY KS OPERATIONS CENTER****TRANSMISSION RECEIPT DATE/TIME:** \_\_\_\_\_**COMPLETED BY:** \_\_\_\_\_**JOB CODE** *AK368*

PTO/SB/21 (08-04)

Approved for use through 07/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/684,080
Filing Date	10/09/2003
First Named Inventor	Hibiki OGURA
Art Unit	2837
Examiner Name	Bentsu Ro
Attorney Docket Number	44471/293132

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<b>PTO/SB/06 - Patent Application Fee Determination Record</b>
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks _____		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	KILPATRICK STOCKTON LLP		
Signature	<i>Brenda O. Holmes</i>		
Printed name	Brenda O. Holmes		
Date	01-05-2005	Reg. No.	40,339

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO's Centralized Facsimile Number (703) 872.9306 on the date shown below.

Signature	<i>Janie Wilkins</i>		
Typed or printed name	Janie Wilkins	Date	1/5/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/06 (12-04)

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**PATENT APPLICATION FEE DETERMINATION RECORD**

Substitute for Form PTO-875

Application or Docket Number  
**10/684,080**

**APPLICATION AS FILED – PART I**

FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	N/A
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A	N/A
EXAMINATION FEE (37 CFR 1.16(l), (p), or (q))	N/A	N/A	N/A	N/A
TOTAL CLAIMS (37 CFR 1.16(l))	7	minus 20 = · 0	x 18 =	770
INDEPENDENT CLAIMS (37 CFR 1.16(n))	2	minus 3 = · 0	x 84 =	0
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))			N/A	N/A
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	770

If the difference in column 1 is less than zero, enter "0" in column 2.

**APPLICATION AS AMENDED – PART II**

(Column 1)		(Column 2)	(Column 3)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY		
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(j))	7	Minus	20	= 0	x =	x 50 =	0	
	Independent (37 CFR 1.16(h))	2	Minus	3	= 0	x =	x 200 =	0	
	Application Size Fee (37 CFR 1.16(j))					N/A		N/A	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					TOTAL ADD'L FEE		TOTAL ADD'L FEE	0

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDI- TIONAL FEE (\$)	RATE (\$)	ADDI- TIONAL FEE (\$)
	Total (37 CFR 1.16(j))	Minus						
Independent (37 CFR 1.16(h))	▪	Minus	***	=	X	=	X	=
Application Size Fee (37 CFR 1.16(s))					X	=	X	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(l))					X	=	X	=
				N/A			N/A	
				TOTAL ADD'L FEE			TOTAL ADD'L FEE	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "-20".

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

**If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".**

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3"

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

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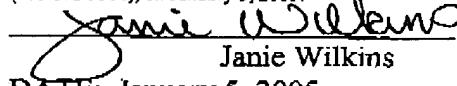
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
 Hibiki OGURA ) Art Unit: 2837  
 Serial No. 10/684,080 ) Examiner: Ro, Bentsu  
 Filed: October 9, 2003 )  
 For: Rotation Speed Control Apparatus of )  
 Open Close Body for Vehicle and )  
 Rotation Speed Control Method of )  
 the Same ) Attorney Docket No. 44471/293132

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 Janie Wilkins  
 DATE: January 5, 2005

**FIRST RESPONSE**


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Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Responsive to the Office action dated November 1, 2004 in the patent application identified above, please enter the following amendments and reconsider the application in view of the appended remarks.

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this paper.

**Remarks** begin on page 5 of this paper.